BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF HAWAII

----- In the Matter of -----)

DELTACOM INC. fka

DELTACOM, INC., fka)
ITC^DELTACOM COMMUNICATIONS, INC.)

Notice of Failure to Comply With Hawaii Revised Statutes and Commission's Regulations; Order to Show Cause Why Respondent's Operating Authority Should Not Be Suspended or Revoked. DOCKET NO. 2006-0283

DECISION AND ORDER NO. 22833

RECEIVED

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DIV. OF CONSUMER ADVOCAC

DEPT. OF COMMER AFFAIRS

CONSUMER AFFAIRS

CONSUMER AFFAIRS

Filed <u>Sept. 8</u>, 2006 At <u>10</u> o'clock <u>A</u>.M.

Chief Clerk of the Commission

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Notice of Failure to Comply With Hawaii Revised Statutes and Commission's Regulations; Order to Show Cause Why Respondent's Operating Authority Should Not Be Suspended or Revoked. Docket No. 2006-0283

Decision and Order No. 22833

DECISION AND ORDER

By this Decision and Order, the commission vacates Order No. 22760, filed on August 17, 2006, in the matter of DELTACOM, INC., fka ITC^DELTACOM COMMUNICATIONS, INC. ("Respondent").

I.

<u>History</u>

Pursuant to Hawaii Administrative Rules § 6-80-91 and Order No. 20193, the commission ordered Respondent to appear at 465 South King Street, Room B3, Honolulu, Hawaii 96813, at 9:00 a.m., on September 28, 2006, to show cause why Respondent's certificate of authority should not be suspended or revoked for failure to pay the telecommunications relay services ("TRS") fund contribution that was due on July 26, 2004.

On August 31, 2006, Respondent paid its TRS fund contribution that was due on July 26, 2004.

Findings and Conclusions

The commission finds that Respondent has fully complied, although belatedly, with the commission's applicable laws, rules, and regulations, and concludes that Order No. 22760, filed on August 17, 2006, should be vacated.

III.

Orders

THE COMMISSION ORDERS:

- Order No. 22760 is vacated.
- 2. This Docket is closed unless otherwise ordered by the commission.

DONE at Honolulu, Hawaii _____

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

John E. Cole.

APPROVED AS TO FORM:

Stacey Kawasaki Djou

Commission Counsel

2006-0283.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing <u>Decision and Order No. 22833</u> upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS DIVISION OF CONSUMER ADVOCACY P. O. Box 541 Honolulu, HI 96809

DELTACOM, INC., fka ITC^DELTACOM COMMUNICATIONS, INC. 7037 Old Madison Pike, Suite 400 Huntsville, AL 35806

Karen Higashi

DATED: SEP - 8 2006